

Estate of
W^m Wurts, dec^d.

In the matter of Petition
of Lucretia J. Wurts
guardian for authority
to make private sale
to James Russell

(15)

* proceedings in the matter of the
Petition of Lucretia J. Wurts, guardian, for authority
to sell Real Estate to James Russell

ESTATE OF # In the Orphans' Court

WILLIAM WURTS, # of Luzerne County.

DECEASED. #

(Docket Entries - docket 8/H 505 & 561)

The petition of Lucretia J. Wurts, Guardian of Eliza A. William A. and Frederick H. Wurts, minor children of William Wurts, late of the City of Carbondale deceased, and of said petitioner, respectfully represents,

That the said William Wurts departed this life in the year 1858 seized in fee of a piece or parcel of land situate and lying in the City of Carbondale, Luzerne County, Penn'a, bounded and described as follows, viz:

BEGINNING at a stone's corner, the western corner of a tract in the warrantee name of Sarah Ryon, thence by said tract South forty six degrees East sixty seven rods to a hemlock corner, thence by land in the warrantee name of Henry Ryon, South forty four degrees West two hundred and fifty six rods to a beach, South forty six and a half de-

the year 1858 seized in fee of a piece or parcel of land situate and
and lying in the City of Carbondale, Luzerne County, Penn'a, bounded
and described as follows, viz: A. L. Frederick & Harriet L.

BEGINNING at a stone's corner, the western corner of a tract
in the warrantee name of Sarah Ryon, thence by said tract South forty
six degrees East sixty seven rods to a hemlock corner, thence by land
in the warrantee name of Henry Ryon, South forty four degrees West two
hundred and fifty six rods to a beach, South forty six and a half de-
grees East nine and a half rods to a hemlock corner, South forty three
and a half degrees West seventy seven and three quarters rods to a
beach corner, South forty six degrees East fifty two rods to a stone's
corner, and South forty four degrees West seventeen and a half rods
to a stone's corner, thence by land of the Delaware and Hudson Canal
Company, North fifty eight degrees West one hundred and thirty seven
rods to a beach corner, ~~thence North eight degrees West one hundred~~
~~and thirty seven rods to a beach corner,~~ ^{thence} North eight degrees
East one hundred and one rods to a stone's corner, thence North eighty
five and three quarter degrees East one hundred and twenty one rods
to a stone's corner, thence north ~~eighty eight~~ degrees East one hundred
and twenty six and a half rods to a stone's corner of lands sold by
William Wurts to William Brennan, thence by said land South eighty one

thence North ^{East} ~~thirty~~ ^{four} degrees East one hundred ten and eight ^{tenths} rods to a post and stones, ^{then} thence by other land of the said party of the first part, South Fifty eight and a half degrees East eighty three and seven tenths rods to a stone's corner in the line of land in the Warrantee name of Sarah Ryan, aforesaid, and thence by said land South forty four and a half degrees West thirty three and three fourths rods to the place of beginning, containing two hundred and fifty one acres and one hundred and forty seven perches.

That the said William Wurts, died intestate, leaving a widow the petitioner, and seven children, to wit:—Helen S. Harriet L. (since intermarried with Rev. Franklin C. Jones) Theodore F., Eliza A., William A., Frederick H., and George A., the last named since deceased, without issue and intestate.

That the said premises are now vested in the said Helen S., Theodore F., Eliza A., William A., and Frederick H. Wurts Harriet L. of wife of Rev. Franklin C. Jones, and that all the parties are of full age to contract, except Eliza A., William A. and Frederick H. Wurts who are minors.

NOTICE OF PRIVATE SALE.

That an offer has been made by James Russell for the purchase of said premises for the sum of \$10,000.

A., William A., Frederick H., and George A., the last named since deceased, without issue and intestate

That the said premises are now vested in the said Helen S., Theodore F., Eliza A., William A., and Frederick ~~H.~~ Wurts Harriet L. ^{of} wife of Rev. Franklin C. Jones, and that all the parties are of full age to contract, except Eliza A., William A. and Frederick H. Wurts who are minors.

That an offer has been made by James Russell for the purchase of said premises for the sum of fifteen dollars per acre, which will amount to the sum of three thousand seven hundred and seventy eight $\frac{78}{100}$ dollars, and the said Helen S., and Theodore F. Wurts and Harriet L. and Franklin C. Jones have contracted with the said James Russell for the sale of the said premises for the said sum, provided an order can be obtained from this Honorable Court for the sale of the undivided interest of the said minors to the said James Russell for a proportionate share of the said sum of three thousand seven hundred seventy eight $\frac{78}{100}$ dollars, to wit, the sum of one thousand eight hundred eighty nine $\frac{39}{100}$ dollars.

Your petitioner further says that she believes the price or sum so ~~offered~~ is satisfactory to the said Helen S. and Theodore F. Wurts and Harriet L. and Franklin C. Jones, and that it is a better and higher price than can be obtained at public sale, and that it is

greatly to the interest of said minors that said sale should be carried into effect. Now 19th May 1866 Decree of Guardian to James Russell,

acknowledged. She therefore prays this Honorable Court for an order authorizing her to grant and convey unto the said James Russell in fee the undivided interest of said minors of and in the premises aforesaid, for the said sum of one thousand eight hundred eighty nine 39/100 dollars agreeably to the provisions of the Act of Assembly in such cases made and provided.

Now 15th Jan. 1866, Court appoint hearing the second Monday of February Term next and appoint P. S. Joslin Esq., Commissioner to report facts.

Certificate exit 16th Jan. 1866, Now 2nd April 1866, bond of guardian in the sum of \$4,000. with Maurice Wurts as surety filed and approved. Same day Court decree private sale of the real estate as prayed for.

Certificate exit 16th Jan. 1866, Now 2nd April 1866, bond of guardian in the sum of \$4,000. with Maurice Wurts as surety filed and approved. Same day Court decree private sale of the real estate as prayed for.

RETURN OF PRIVATE SALE.

In the Orphans' Court of Luzerne County in the matter of the application of Lucretia J. Wurts Guardian of Eliza A., William A., and Frederick H. Wurts minor children of William Wurts, deceased, for an order to sell real estate of said minors at private sale to James Russell.

The said guardian hereby respectfully returns, That in pursuance of the order and decree of the said Court, she has made sales of the real estate described in said application, to the said James Russell, for the sum of one thousand eight hundred eighty nine 39/100 dollars, which sale she prays may be confirmed by your Honorable Court Carbondale April 3, 1866.

Confirmed Nisi 11th April 1866, confirmed absolutely 14th May 1866 Now 19th May 1866 Deed of Guardian to James Russell, acknowledged in open Court.

In the Orphans' Court

ESTATE OF

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IN THE ORPHAN'S COURT

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WM. WURTS, DEC'D

§

OF LUZERNE COUNTY.

§

PETITION OF GUARDIAN FOR SALE OF REAL ESTATE.

To the Honorable the Judges of the Orphans' Court, for the County of Luzerne.

The petition of Lucretia J. Wurts, Guardian of Eliza A., William A., and Frederick H. Wurts, minor children of William Wurts, late of the City of Carbonsale, deceased, and of the said petitioner, respectfully represents:

That the said William Wurts departed this life in the year 1858, seized in fee of a piece or parcel of land situate and lying in the City of Carbondale, County of Luzerne

ceased; and of the said petitioner, respectfully represents:

That the said William Wurts departed this life in the year 1858, seized in fee of a piece or parcel of land situate and lying in the City of Carbondale, County of Luzerne and State of Pennsylvania, bounded and described as follows, viz: Beginning at a stone~~s~~ corner The Western corner of a tract in the warrantee name of Sarah Ryon, Thence by said tract South forty six degrees East sixty seven rods to a Hemlock corner, Thence by land in the warrantee name of Henry Ryon South forty four degrees West two hundred and fifty six rods to a beech, South forty six and a ~~half~~ degrees East nine and a half rods to a Hemlock corner, South forty three and a half degrees West seventy seven and three quarters rods to a Beech corner, South forty six degrees East fifty two rods to a stones corner and South forty four degrees West seventeen and a half rods to a stones corner, Thence by land of the Delaware and Hudson Canal Company North fifty eight degrees West one hundred and thirty seven rods to a Beech corner, Thence North eight degrees East one hundred and one rods to a stones corner, Thence North

... North eight degrees East one hundred and
twenty one rods to a stone corner, Thence North eight degrees
East one hundred and twenty six and a half rods to a stone
corner of land sold by William Wurts to William Brennan and Thence by
said land South eighty one degrees East forty six and seven
tenths rods to a post, Thence North one hundred and

Don and seven tenths rods to a post and stone, Thence by other land
of the said party of the first part South fifty eight and a half
degrees East eighty three and seven tenths rods to a stone
corner in the line of land in the warrantee name of Sarah
Wyon aforesaid and Thence by said land South forty four and a
half degrees East thirty two and three fourths rods to the place
of beginning, You shall have Two Hundred and fifty One Acres and one
half ...

half degrees: West thirty two and three fourths rods to the place of beginning. Containing Two Hundred and Fifty One Acres and one hundred and forty seven perches.

That the said William Wurts died intestate, leaving a widow, the petitioner, and seven children, to wit: Helen S., Harriet L., (since intermarried with Rev. Franklin C. Jones,) Theodore F., Eliza A., William A., Frederic H., and George A., the last named since deceased without issue and intestate.

That the said premises are now vested in the said Helen S., Theodore F., Eliza A., William A., and Frederic H. Wurts and Harriet L. wife of Franklin C. Jones, and that all of the parties are of full age to contract, except Eliza A., William A., and Frederic H. Wurts who are minors.

That an offer has been made by James Russell for the purchase of the said premises for the sum of Fifteen Dollars per acre which will amount to the sum of Three Thousand seven Hundred Seventy Eight, and 78/100 Dollars, and the said Helen S. and Theodore F. Wurts and Harriet L. and Franklin C. Jones have contracted with the said James Russell for the sale of the said premises for the said sum provided an order can be obtained from this Honorable

Court for the sale of the undivided interest of the said minors to the said James Russell for a proportionate share of the said sum of three thousand seven hundred seventy eight $78/100$ dollars, to wit: The sum of One Thousand Eight Hundred eighty Nine $39/100$ Dollars.

For petitioner further says that she believes the price or sum so offered is satisfactory to the said Helen S. and Theodore F. Wurts and Harriet L. and Franklin C. Jones and that it is a better and higher price than can be obtained at public sale and that it is greatly to the interest of said minors that said sale should be carried into effect.

She therefore prays this Honorable Court for an order authorizing her to grant and convey unto the said James Russell in fee simple the undivided interest of said minors of and in the premises aforesaid for the said sum of One Thousand Eight Hundred eighty Nine $39/100$ Dollars agreeably to the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania

She therefore prays this Honorable Court for an order authorizing her to grant and convey unto the said James Russell in fee all the undivided interest of said minors of and in the premises aforesaid for the said sum of One Thousand Eight Hundred Eighty Nine 39/100 Dollars agreeably to the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania approved the eighteenth day of April in the year of our Lord one thousand eight hundred and fifty three.

Lucretia J. Wurts.

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City of Carbondale, ss.

Lucretia J. Wurts being duly sworn saith that the statements in the foregoing petition are just and true to the best of her knowledge and belief.

Lucretia J. Wurts

Sworn and subscribed before me
this 28th day of Dec'r 1865.

William Root, Alderman.

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We the undersigned being with the

said minors in the foregoing petition named interested in the premises hereinbefore described do hereby declare that we have read the said petition and believe the statements therein made to be true. We do further declare that we are satisfied with the said proposed sale and believe that it is to the interest and benefit of all the owners of said premises that said sale should be effected.

Lucretia J. Wurts

Franklin C. Jones,

Harriet L. Jones,

Helen S. Wurts,

Theo. F. Wurts.

Filed 15th, Jan. 1868.

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Jan'y 15, '68 Court appoints hearing the 2nd Monday of Feb'y next.

Helen S. Wurts.

Theo. F. Wurts.

Filed 15th, Jan. 1866.

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Jan'y 15, '66 Court appoints hearing the 2nd Monday of Feb'y next.

By the Court.

P. S. Joslin appointed Com'r.

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Luzerne County, ss:

In Orphans' Court 15th Jan'y 1866, Estate William-Wurts, Dec'd.

In the matter of petition of Guardian for sale of real estate at private sale to James Russell.

Now 15 January 1866, Court appoint hearing the second Monday of February term next and appoint P. S. Joslin

430. * a Commissioner to report as to the expediency of the sale
of real estate at private sale.

Certified from the Records the 16th January, 1863.

E. B. Collings, Clerk O. C.

(Seal)

D. N. Lathrope being duly sworn saith that he
is the maternal uncle of said minors and is well acquainted with
the land proposed to be sold. The same was unproductive being
rough and of little value and was being eat up by taxes and he
considers the sale a good one and for the advantage of the
said minors.

D. N. Lathrope.

Sworn and subscribed

Feb'y 14th, 1863.

P. S. Joslin, Comm'r.

I hereby certify that I am acquainted with
the facts set forth in the above affidavit of D. N. Lathrope and

said minors.

D. N. Lathrope.

Sworn and subscribed

Feb'y 14th, 1866.

P. S. Joslin, Comm'r.

I hereby certify that I am acquainted with
the facts set forth in the above affidavit of D. N. Lathrope and
concur in his opinion.

P. S. Joslin.

Filed 2nd April, 1866.

Know all men by these presents that we, Lucretia J. Wurts, of the City of Carbondale, and County of Luzerne, and Maurice Wurts, of the City and County of Philadelphia, are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of four thousand dollars, lawful money, to be paid to the said Commonwealth; to which payment well and truly to be made, we do bind ourselves, our heirs executors and administrators and each of us, firmly by these presents sealed with our seals and dated the tenth day of March, one thousand eight hundred and sixty six.

The condition of this obligation is such that if the above bounden Lucretia J. Wurts, Guardian of Eliza A. Wurts, William A. Wurts and Frederic H. Wurts, minor children of William Wurts, late of Carbondale City aforesaid, deceased, shall and do faithfully appropriate the proceeds of sale of real estate of

Wurts, late of Carbondale City aforesaid, deceased, shall and do faithfully appropriate the proceeds of sale of real estate of said decedent as decreed by the Orphans' Court of said County of Luzerne, according to her duty and in such manner as the said Court shall legally decree, then the above obligation to be void, or else to be and remain in full force and virtue.

Lucretia J. Wurts (Seal)

Maurice Wurts, (Seal)

Witness as to L. J. Wurts,

Wm. N. Lathrop

Helen S. Wurts.

Witness as to Maurice Wurts,

Arch'd C. Levy,

Ezekiel Reed.

Filed 2nd April, 1866.

Now 2 April, 1866, Bond of Guardian in the sum of \$4000 with Maurice Wurts as surety filed and approved. Same day Court decreed private sale of the real estate as prayed for.

IN THE ORPHANS' COURT,

In the Orphans' Court of said County,

In the matter of the application of Lucretia J. Wurts, Guardian of Eliza A. William A., and Frederic H. Wurts, minor children of William Wurts, deceased, for an order to sell real estate of said minors at private sale to James Russell.

The undersigned hereby respectfully returns that in pursuance of the order and decree of the said Court she has made sale of the real estate described in said application to the said James Russell for the sum of One Thousand Eight Hundred Eighty ~~Nine~~ ³⁹/₁₀₀ Dollars, which sale she prays may be confirmed by your Honorable Court.

Lucretia J. Wurts.

Carbondale, April 3rd, 1863.

City of Carbondale, ss:

Carbondale, April 3rd, 1863.

City of Carbondale, ss:

Mrs. Lucinda A. Root being duly sworn
sath the above return is true and correct.

Libertine J. Adams.

Sworn and subscribed the
7th day of March, 1863.

William Root, Alderman.

Filed and confirmed WLSI by the Court 11th April,
1866.

Confirmed

By the Court,

*Now 19 May, 1866, said of said claim to Lane Russell, acknowledged in
open court. o - o - o - o - o*

May 15, '66.

Now this 23th day of Jan'y, 1900, certified from the Records

J. L. Potteiger, 1st Asst. Clerk C.C.

Commonwealth of Pennsylvania, } ss.:
County of Luzerne.



I JOHN MAINWARING.
Register for the Probate of Wills, and granting Letters
of Administration, and ex-officio Clerk of the Orphans'
Court in and for the County of Luzerne, *Do Certify*, that
the above and foregoing is a true, correct, and entire copy

of the *Proceedings in the matter of*
the Petition of Lucretia J. Hurts, Guardian,
for authority to sell real estate
to James Russell

so full and entire as the same remains of record and on file in said office.

In Witness Whereof, I have hereunto set my hand and affixed the seal of

Orphans' Court, at Wilkes-Barre,

this 26 day of January, Anno Domini one thousand
~~and~~ *one* hundred and ~~ninety~~ *(1900)*

John Mainwaring
Register of Wills and ex-officio Clerk of the Orphans' Court.



the above and foregoing is a true, correct, and entire copy

of the *Proceedings in the matter of*
the Petition of Lucretia J. Thirtz, Guardian,
for authority to sell real estate
to James Russell

so full and entire as the same remains of record and on file in said office.

In Witness Whereof, I have hereunto set my hand and affixed the seal of

Orphans Court, at Wilkes-Barre,

this *26* day of *January*, Anno Domini one thousand
five
~~eight hundred and ninety~~ (*1900*)



John Mainwaring
Registrar of Wills and ex-officio Clerk of the Orphans' Court.

Commonwealth of Pennsylvania, }
County of Luzerne. } ss.:

I, ALFRED DARTE, President Judge of the Orphans' Court in and for the
County of Luzerne, Do Certify that JOHN MAINWARING.

by whom the annexed
record, certificate and attestation were made, and who in his own proper handwrit-
ing has thereunto subscribed his name and affixed his official seal, was, at the time
of so doing, and now is

*Register of Wills and ex officio
Clerk of the Orphans Court*

in and for said county, duly commissioned and qualified; to all whose acts, as such,
full faith and credit are and ought to be given, as well in Courts of Judicature as
elsewhere; and that said record, certificate and attestation are in due form of law,
and made by the proper officer.

In Testimony Whereof, I have hereunto set my hand, this 26 day
of January A. D. 1900.

Alfred Dart
President Judge.



Commonwealth of Pennsylvania,

County of Luzerne,

} ss.:



JOHN MAINWARING,

I, JOHN MAINWARING,
Register of Wills and ex-officio Clerk of the Orphans' Court in said county of Luzerne, *Do Certify* that the Honorable ALFRED DARTE, by whom the foregoing certificate and attestation were made, and who has thereunto subscribed his name, was at the time of making thereof, and still is, President Judge of the Orphans' Court in and for said county, duly commissioned and qualified; to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the said Court at Wilkes-Barre, this 26 day of January 1890.

John Mainwaring
Register of Wills and ex-officio Clerk of the Orphans' Court.

